

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILED

A 10: 22

U.S. BANKRUPTCY COURT
E.D. MICHIGAN - DETROIT

LEWIS M. DICKENS II

your name Creditors/Appellants,
v

In re:
CITY OF DETROIT, MICHIGAN
AND EMERGENCY MANAGER
KEVYN D. ORR

Chapter 9
Case No. 13-53846
Judge Steven W Rhodes

Debtor/Appellee

Case No. 14-cv-10434
Hon. Bernard A. Friedman
Magistrate Paul J. Komives

OBJECTIONS TO CITY PLAN OF ADJUSTMENT

I/We are residents of the City of DETROIT

and a taxpayer of the State of Michigan and a citizen of the United States.

I/We are creditor and/or creditors and the interested part and/or parties and
object to the bankruptcy and to the City Plan of Adjustment for the
following reasons:

1) We object to Kevyn Orr plan of adjustment because it infringes on
and take away you're right to vote on pages 22-23 of the plan of adjustment.

2) We object to "A ten 10% reduction in monthly pension amount (b)

elimination of the deferred retirement option plan feature of Police and Fireman Retirement System (PFRS) and a **10% reduction in the monthly pension amount** provided that with respect to holders that are active employee, in the event the unfunded liabilities of the PFRS for the plan year ending June 30, 2014 is greater than the unfunded liabilities of the PFRS as of June 30, 2013, **the reduction** in the monthly pension amount shall be increased to the extent necessary to ensure that there is no change in the amount of the under funding between plan year ending 2013 and 2014. Section 193 page15.

3) We object to no determination on the Certificate of Participation (COP) swap claims that was a major cause of the bankruptcy in article II Classification of claims; cramdown executory contracts and unexpired lease. Article II page 23.

4) We object to the Plan of Adjustment because the City of Detroit did not negotiate in good faith prior to the filing of bankruptcy in violation of 11 USC 109 (c) In re Valley Health Sys, 383 B.R. 156, 163 (Bankr C.D. Cal 2008). In this case the city was more egregious by not negotiating at all. In re Cotton Water and Sanitation District, Douglas County, Colo., 138 B.R. 973, 979 (Bankr. D. Colo 1992) “plan referred to in 109(c)(4) is adjustment plan negotiated pre-petition in good faith.

I hereby certify that the statement made herein are true and correct under penalty of perjury and contempt of court under the laws of the United States of America

Lewis M. Daikens III
Objector signature

Address 1362 Joliet Pl.

City, State, & Zip Detroit, MI 48207.

Dear Honorable Judge Rhodes,

The University of Michigan featured me in their Videos on the Kennedy Peace Corps Speech. And I carried the School flag at commencement in the Big House. You may have heard of the "Great Society Speech" and I read it over LBJ's shoulder in the teleprompter. (Ranked in the middle of the 100 greatest Presidential speeches), It struck me that it was a great speech and I particularly liked the passage on the the "War on Poverty". In the interregnum the war on the poor has been won. Middle class? Just wait.

I took the speech to heart and went to work for the Oakland County Planning Commission. And so my career started. Although it seemed to be too slow a process to me and I returned to my Profession but I could easily comprehend Planning's powerful benefits. (As a young architect I was chomping at the bit to design) and so I have worked on my own and for all three of the big firms in Detroit and have actually accomplished quite a bit and have worked on some famous projects like the CCS tinkertoy building, The Atlanta Airport, The SUNY Stonybrook Medical School, and the Ave Maria law school in Ann Arbor Township or the H2 factory. In fact I worked extensively with Pierre Heftler, the "Boss of Bodman", on the acoustic renovation of the Ford Auditorium with the two leading Architectural Acousting Consultants in the world that he brought in. So you would be hard pressed to say that I am naive about Architecture and Construction. I know how to "smell" a project.

Yes, I'm an architect, 75 having done over 100 projects (Architectual Projects can consume an enormous amounts of time) and was sent a note from Bill Kessler, Michigan's far and away most awarded architect, that I do good work. When I mentioned that to his partner, he went into exaggerated convulsions saying that I was the only Architect that Bill had ever complimented. That's my gold medal.

Sometimes I look at the little things. Like going to the "Polish Yacht Club" for lunch and upon leaving with my friend he, the former Chief Architect for the City, pointed out the red rubber mats installed on the street corners indicating handicapped access. Wow, that was a huge project and who knows the cost of it, imposed upon the City? I don't think that we can blame that on the Blacks and "their stupidity". Obviously this was a huge waste imposed upon the city at a huge real cost. Perhaps it was mandated but was good planning sense used at all? I don't think so.

I loved seeing in the courtroom how loving and considerate and kind you were with the elderly Black women in particular. For that I absolutely honor you. You were awesome to watch.

At the age of 50 I finally married a wonderful Black Woman who owned Executive Services, the finest Telephone Answering Service, Legal Secretarial Service, and Printing and Copy Service in the First National building. We raised 4 Black children for various time spans in their lives. We finally adopted a niece at the age of 6 and at her age of 10 my wife was killed by a drunk driver. They were going to let him off but I implored Carl Marlenga to have the County step up and prosecute which he thankfully did. I noticed at a Roast for Geoffry Feiger that Carl was perhaps the most articulate and heartfelt speaker and nailed him there.

So I was left to raise Megan and to try and employ the roles of both Father and Mother. At times I think that I may have failed as Mother. But Megan is enrolled at WSU and works at Lafayette Foods and seems to be coming along fairly well.

Because Megan was declared learning disabled and Reading Impaired I had to enroll her in a special Ed program at Eton Academy in Birmingham and make 4 trips from Lafayette Park to Royal Oak every day. In that environment I'd have to say that, along with the grind of the very excellent Kumon, she accelerated in the four years that I had her there and was declared best Female Mathematician and best Female athlete her final. When we had to finally leave because of the exorbitant costs were rapidly draining my resources since I had been laid off after the Ave Maria Debacle and the fact that the Architects were and are the first hit in the recession, actually before the Recession was recognized. So as we were forced to leave the superb environment and discontinue Kumon, the Headmaster of the School warned me not to let Megan go to King. Well, as a headstrong young lady she insisted upon King so off we went. In her Freshman year she told her advisor that she couldn't relate to the kids in the lunchroom so her Advisor gave her a Choice, Chorus, or Band and she chose band and was placed in the drumline. Mrs. Miller the Band director asked me to head up the Corporate and Foundation funding effort to help her get the kids to China "For the Olympics". It was a successful effort and we raised some \$425,000 and did get to fly to Beijing and Shanghai and bus to Shijiazhuang. Quite an eye opener! Think that we are highly advanced? Fly to China.

And since I seemed to be Mr. Volunteer the Principal asked me to be on what was called the "Core" committee to coordinate things under the Bond Issue for the DPS with respect to King which was selected to receive work. As I mentioned, you simply cannot fool me about Architecture and Construction, So we were introduced to Robert Bobb's team at a most loaded meeting that I have ever seen. (Loaded meetings involve pushing bodies into a meeting in order to bill out at 2.5 to 3 times payroll and help establish early large disbursements. I could immediately see by the handling of the meeting that the Architect for the project was corrupt and that they were lying about processes and procedures that they had established for the project. Programmers were said to be working on the project and it became immediately apparent that they were straw dogs doing nothing. Clearly the normal AEC process was corrupted and it was evident that a corrupt money grab was underway. It seemed apparent to me that since Walbridge had been married to Romney's sister they were collecting funds for the Mitt Romney Campaign. No one would look at the issue other than the Michigan Citizen. No one knew how to bring the courts into proper play.

So we have the new Martin Luther King HS that has classrooms that are too small, looks like a throwback, the kids hate and call the prison (similar to the new ones) and it became a costly disaster. Another way to look at it is compare the new King against the new Thompson/Ross High School for Math and Science. The new King \$43,000,000, the new Thompson/Ross Academy \$23,000,000 including the purchase price for real estate. That illustrates that using the EFM approach things are normally twice as costly. Why? Corruption using bogus procedures and multiple overlays of contractors. And this accounts for the fact that the Emergency Manager, and Walbridge have raised the bonded indebtedness from several hundred million to over a billion dollars. In effect the Romney campaign was mortgaged out from the Black Community in Detroit. Pretty clever.

Arnie Duncan said that Detroit was Ground Zero. Well, it remains Ground Zero for Republican thefts.

Do the courts understand this? I doubt it. Lawyers typically understand nothing about Architecture and Construction and Planning (Except perhaps Pete Heftler who gave Bucky Fuller his first "real Job"... the Rotunda skylight). So the Rape of the DPS was accomplished by the appointed EFM and his corrupt contractor and architect. And the installed successors are showing their continued incompetence having no legitimate architect assisting in the assessment of the remaining schools and showing their ignorance by abandoning the exquisite Oakman school for the Handicapped. The Jail?... corrupt contractor, same one.

It's clear, the EFM's precipitate untenable, costly mistakes and gouge the communities and provide inferior facilities. Ignorance abounds because lawyers have placed themselves in charge of things that they have no training in what so ever. With Pete Heftler and Bob Seymour as friends I can say with surity that some are great but not all. Same in Architecture.

So the people voted and the Republicans reversed it and entities associated with both the Education of the Children and the running of the City are being ruined and subsumed by the rampant and ignorant moves of the small group of Michigan Educated buddies from law school that have no idea what they are doing, and are not educated in the proper running of the City. They have destroyed planning and they are manipulating things to their favor and are in the process of ruining the City with methods grossly similar to the theft of the Crimean Peninsula. The notion of Democracy is dead. Jefferson would be crying or doing the SMH.

Kwame was snookered by the bankers. He had too much entitlement and perhaps not enough education to imagine that he might be in deep water. And so we are to lose the DIA and all the pensions because of that?

<http://www.paul-long.com/home/documentary.html>

<https://vimeo.com/73799145>

Quoted 9 times in the full video... that's more than Bill Moyers or Chris Matthews ;D

Lewis M. Diefen #4